

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD P. FIGASKI and
STEPHEN P. DANOWSKI,

Plaintiffs,

v.

WILLIAM A. STORTEN, et al.,

Defendants.

Civil Action No. 03-352 Erie

ORDER

AND NOW, this 2nd day of August, 2005, the Plaintiffs having filed a motion [Doc. 70] to amend judgment in the above-captioned matter, and the Defendants having indicated that they have no objection to that portion of the motion seeking a reinstatement of Plaintiff Danowski,

IT IS HEREBY ORDERED that Plaintiffs' motion is GRANTED IN PART, *to wit*, Defendant Millcreek Township shall reinstate Plaintiff Stephen Danowski to the position of Sergeant in the Millcreek Township Police Department under the conditions identified by the parties, pursuant to the jury's verdict in this case entered on May 17, 2005, and 42 U.S.C. § 1983. The reinstatement of Plaintiff Danowski is without prejudice and/or a waiver of the Defendants' rights concerning any appeal filed from the judgment.

IT IS FURTHER ORDERED that the JUDGMENT entered in favor of Plaintiff Stephen Danowski is hereby AMENDED to reflect the credit to which the Defendant Millcreek Township is entitled as a result of Danowski's reinstatement until his retirement date, in the amount of \$2,974.24, making the total economic loss for this Plaintiff \$267,025.76.

IT IS FURTHER ORDERED that the remaining aspects of Plaintiffs' motion to amend the judgment will be taken under advisement.

s/ Sean J. McLaughlin
United States District Judge

cm: All counsel of record.